

116TH CONGRESS  
2D SESSION

# S. 4022

To require the Federal Communications Commission to update the national broadband plan, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 22, 2020

Mr. MARKEY introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To require the Federal Communications Commission to update the national broadband plan, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

**3 SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “National Broadband  
5 Plan for the Future Act of 2020”.

**6 SEC. 2. UPDATE TO NATIONAL BROADBAND PLAN.**

7       (a) DEFINITIONS.—In this section—

8           (1) the term “appropriate committees of Con-  
9           gress” means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives;

(2) the term “broadband internet access service” has the meaning given the term in section 8.1 of title 47, Code of Federal Regulations, or any successor regulation;

(3) the term "Commission" means the Federal Communications Commission;

(4) the term “E-Rate program” means the program set forth under subpart F of part 54 of title 47, Code of Federal Regulations, or any successor regulations; and

(5) the term “national broadband plan” means the plan required to be submitted by the Commission to the appropriate committees of Congress under section 6001(k) of the American Recovery and Reinvestment Act of 2009 (47 U.S.C. 1305(k)).

(b) UPDATE.—

(1) IN GENERAL.—Not later than July 1, 2021, and subject to paragraph (3), the Commission shall submit to the appropriate committees of Congress a final report containing an update to the national broadband plan.

1                             (2) CONTENTS.—The update to the national  
2                             broadband plan required under paragraph (1)  
3                             shall—

4                                 (A) assess the progress of the United  
5                             States in achieving the goals of the original na-  
6                             tional broadband plan during the 10-year period  
7                             preceding the date of enactment of this Act;

8                                 (B) reassess the areas of focus contained  
9                             within the original national broadband plan, in-  
10                             cluding through—

11                                 (i) an analysis of the most effective  
12                             and efficient mechanisms for ensuring ac-  
13                             cess to broadband internet access service  
14                             by all people of the United States;

15                                 (ii) a detailed strategy for achieving—  
16                                     (I) affordability of broadband  
17                             internet access service; and

18                                     (II) maximum utilization of  
19                             broadband internet access service, and  
20                             the infrastructure with respect to that  
21                             service, by the public;

22                                 (iii) an evaluation of the status of de-  
23                             ployment of broadband internet access  
24                             service, including the progress of projects  
25                             supported by the grants made pursuant to

1                   section 6001 of the American Recovery  
2                   and Reinvestment Act of 2009 (47 U.S.C.  
3                   1305); and

4                         (iv) a plan for use of broadband inter-  
5                   net access service, and the infrastructure  
6                   with respect to that service, in advancing  
7                   consumer welfare, civic participation, pub-  
8                   lic safety and homeland security, commu-  
9                   nity development, health care delivery, en-  
10                  ergy independence and efficiency, edu-  
11                  cation, worker training, private sector in-  
12                  vestment, entrepreneurial activity, job cre-  
13                  ation and economic growth, and other na-  
14                  tional purposes;

15                 (C) examine the effects of the COVID–19  
16                  pandemic on how the people of the United  
17                  States—

18                         (i) learn, including—

19                             (I) an analysis of the nature and  
20                          extent of gaps between students who  
21                          have access to broadband internet ac-  
22                          cess service at home and students who  
23                          do not have that access; and

24                             (II) an identification of specific  
25                          ways to close the gaps described in

(iii) receive medical information and treatment, including by—

(II) the availability of credible news and information, including public health information, with respect to that pandemic;

(D) analyze the level of reliance that the people of the United States will have on services enabled by broadband internet access service—

(i) before comprehensive testing with respect to COVID-19 is implemented and a vaccine with respect to that disease is developed; and

(ii) after the COVID-19 pandemic

has ended; and

(E) develop—

(i) short-term proposals to address the reliance described in subparagraph (D); and

(ii) a long-term plan to address any  
emergent privacy and security challenges  
associated with the use of services de-  
scribed in subparagraph (D).

(3) FINAL REPORT.—Until July 1, 2021, the appropriate committees of Congress shall accept from the Commission an updated version of a report previously submitted by the Commission under para-

1 graph (1), without regard to whether the Commis-  
2 sion had—

3 (A) labeled the previously submitted  
4 version of the report as the final report; or

5 (B) otherwise indicated that the previously  
6 submitted version was the final version of the  
7 report.

8 (4) SUBSEQUENT ANNUAL REPORTS.—Not later  
9 than 1 year after the date on which the Commission  
10 submits the final report of the Commission required  
11 under this subsection, as determined in accordance  
12 with paragraph (3), and annually thereafter, the  
13 Commission shall submit to the appropriate commit-  
14 tees of Congress a report on the progress of the  
15 Commission in achieving the goals of the national  
16 broadband plan, as updated under this subsection.

